

A. REMARKS

No amendments to the application have been made in this reply. Hence, Claims 1-4, 6-14, 16-24 and 26-31 are pending in this application. All issues raised in the Final Office Action mailed July 14, 2003 are addressed hereinafter.

REJECTION OF CLAIMS 1-4, 6-14, 16-24 AND 26-31 UNDER 35 U.S.C. § 103(a)

Claims 1-4, 6-14, 16-24 and 26-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ramsay et al.*, U.S. Patent No. 5,502,576 (hereinafter "*Ramsay*") in view of *Kern et al.*, U.S. Patent No. 6,202,124 (hereinafter "*Kern*"). It is respectfully submitted that Claims 1-4, 6-14, 16-24 and 26-31 are patentable over *Ramsay* and *Kern* because Claims 1-4, 6-14, 16-24 and 26-31 each include one or more limitations that are not in any way taught or suggested by *Ramsay* and *Kern*, taken alone or in combination.

CLAIM 1

Claim 1 recites a data storage apparatus that requires:

“an interface configured to receive digital data; and
a data processor communicatively coupled to the interface and being configured
to:
 automatically receive digital data from the interface and cause the digital
 data to be stored to a write-once-read-many (WORM) storage
 device,
 process a search query against the digital data stored on the WORM storage
 device, and
 in response to processing the search query against the digital data stored on
 the WORM storage device, generate data that identifies data stored on
 the WORM storage device that satisfies the search query.”

It is respectfully submitted that with respect to Claim 1, the data processor configured to “process a search query against the digital data stored on the WORM storage device” and “in response to processing the search query against the digital data stored on the WORM

storage device, generate data that identifies data stored on the WORM storage device that satisfies the search query” is not in any way taught or suggested by *Ramsay* and *Kern*, taken alone or in combination.

As set forth in the Final Office Action, *Ramsay* does not teach or suggest a data processor configured to “process a search query against the digital data stored on the WORM storage device” and “in response to processing the search query against the digital data stored on the WORM storage device, generate data that identifies data stored on the WORM storage device that satisfies the search query.”

Kern describes a data storage system with an outboard data manager configured to manage data transfer operations to reduce the overhead on a host computer within the data storage system. As depicted in FIG. 2 of *Kern*, a data storage subsystem 200 stores and manages digital data on behalf of various computing entities under the direction of a host computer 202. Host computer 202 initiates a data transfer operation within or between storage devices 206, 207. Host computer 202 serializes the source data and allocates the target storage on storage devices 206, 207. Host computer 202 then determines whether the source data to be transferred is an appropriate candidate for the use of outboard data manager 216 to carry out the data transfer operation. If so, then host computer 202 queries outboard data manager 216 to determine whether outboard data manager 216 is accessible to the host computer 202 and whether outboard data manager 216 has access to the source data and the target storage device. If so, then the data transfer operation is initiated and performed.

It is respectfully submitted that *Kern* does not teach or suggest a data storage apparatus with a data processor configured to “process a search query against the digital data stored on the WORM storage device,” as is required by Claim 1. The Final Office Action

asserts that this limitation is taught by *Kern* at Col. 5, lines 50 and Col. 6, lines 48-52. The text at Col. 5, line 50 of *Kern* describes that CD-ROMs, WORMs, DVDs and digital optical tape are examples of an optical storage device. The text at Col. 6, lines 48-52 of *Kern* describes how host computer 202 queries outboard data manager 216 “to determine whether the manager 216 is accessible to the host 202, and whether the manager 216 has access to the source data and target storage devices.” The query made by host 202 is processed against outboard data manager 216 and not against a storage device, such as storage devices 206, 207. In addition, even if a query was processed against storage devices 206, 207, *Kern* does not teach or suggest that storage devices 206, 207 are WORM storage devices. The only reference to a WORM storage device in *Kern* is with respect to storing machine-readable instructions as a WORM storage device to implement outboard data manager 216 (Col. 5, lines 27-57).

It is further respectfully submitted that *Kern* does not in any way teach or suggest that the data processor is also configured to “in response to processing the search query against the digital data stored on the WORM storage device, generate data that identifies data stored on the WORM storage device that satisfies the search query,” as is required by Claim 1. As discussed herein, *Kern* does not teach or suggest processing search queries against digital data stored on a WORM storage device. *Kern* also does not in any way teach or suggest generating “data that identifies data stored on the WORM storage device that satisfies the search query,” as is required by Claim 1.

The Final Office Action asserts that the limitation of “in response to processing the search query against the digital data stored on the WORM storage device, generate data that identifies data stored on the WORM storage device that satisfies the search query” is taught

by *Kern* at Col. 5, lines 45-50 and lines 63-65). The text at Col. 5, lines 45-50 of *Kern* describes example data storage media that may be used to store machine-readable instructions to implement outboard data manager 216. The text at Col. 5, lines 63-65 describes how the data storage system of *Kern* initiates a data transfer operation. There is absolutely no mention or suggestion in these portions of *Kern* of “in response to processing the search query against the digital data stored on the WORM storage device, generate data that identifies data stored on the WORM storage device that satisfies the search query,” as is required by Claim 1.

In view of the foregoing, it is respectfully submitted that Claim 1 includes one or more limitations that are not in any way taught or suggested by *Ramsay* and *Kern*, taken alone or in combination, and is therefore patentable over *Ramsay* and *Kern*.

CLAIMS 2-4 AND 6-11

Claims 2-4 and 6-11 all depend from Claim 1 and include all of the limitations of Claim 1. It is therefore respectfully submitted that Claims 2-4 and 6-11 are patentable over *Ramsay* and *Kern* for at least the reasons set forth herein with respect to Claim 1.

Furthermore, it is respectfully submitted that Claims 2-4 and 6-11 recite additional limitations that independently render them patentable over *Ramsay* and *Kern*.

CLAIMS 12-14 AND 16-21

Claims 12-14 and 16-21 include limitations similar to Claims 1, 3, 4 and 6-11, except in the context of a method for storing data. It is therefore respectfully submitted that Claims 12-14 and 16-21 are patentable over *Ramsay* and *Kern* for at least the reasons set forth herein with respect to Claims 1, 3, 4 and 6-11.

CLAIMS 22-24 AND 26-31

Claims 22-24 and 26-31 include limitations similar to Claims 1, 3, 4 and 6-11, except in the context of computer-readable media for storing data. It is therefore respectfully submitted that Claims 22-24 and 26-31 are patentable over *Ramsay* and *Kern* for at least the reasons set forth herein with respect to Claims 1, 3, 4 and 6-11.

In view of the foregoing, it is respectfully submitted that Claims 1-4, 6-14, 16-24 and 26-31 are patentable over *Ramsay* and *Kern*, taken alone or in combination, since each of these claims include one or more limitations that are not in any way taught or suggested by *Ramsay* and *Kern*. Accordingly, reconsideration and withdrawal of the final rejection of Claims 1-4, 6-14, 16-24 and 26-31 under 35 U.S.C. § 103(a) as being unpatentable by *Ramsay* and *Kern* is respectfully requested.

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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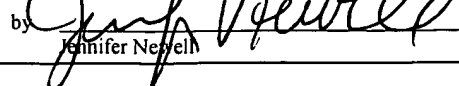
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on September 10, 2003

by 
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